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7 **UNITED STATES DISTRICT COURT**
8 **DISTRICT OF NEVADA**
9 **-oOo-**

10 UNITED STATES OF AMERICA,

11 Plaintiff,

12 vs.

13 JENNIFER J. MCCAIN-BRAY,
a/k/a "JJ McCain"

14 Defendant.

2:16-cr-00224-KJD-CWH

**STIPULATION FOR A
PROTECTIVE ORDER**

16 The parties, by and through the undersigned, respectfully request that the Court issue an
17 Order protecting from disclosure to the public, or any third party not directly related to this case, any
18 documents, recordings, or other tangible things produced by the Government during discovery (the
19 "Discovery Material"). The parties state as follows:

20 1. The indictment in this case first issued on July 26, 2016.

21 2. Defendant McCain was arraigned on July 28, 2016, and a trial was set for September
22 26, 2016. The Government desires and intends to begin producing discovery to Defendant McCain
23 as soon as possible.

24 3. The indictment in this case arises out of an ongoing investigation. The Government

1 continues to and almost certainly in the future will receive sensitive investigative material that must
2 be produced to Defendant McCain as part of the Discovery Material in this case.

3 4. The Government feels that dissemination of the Discovery Material in this case to
4 third parties or the public at large would threaten the integrity of that ongoing investigation,
5 potentially lead to the destruction of evidence, and could lead to the harassment or endangerment of
6 witnesses in the case.

7 5. In order to protect the Government's ongoing investigation, the parties intend to
8 restrict access to the Discovery Material in this case to the following individuals: the defendant,
9 attorneys for all parties, and any personnel that the attorneys for all parties consider necessary to
10 assist in performing that attorney's duties in the prosecution or defense of this case, including
11 investigators, paralegals, experts, support staff and any other individuals specifically authorized by
12 the Court (collectively, the "Covered Individuals").

13 6. Without leave of Court, the Covered Individuals shall not:

- 14 a. make copies for, or allow copies of any kind to be made by any other person
15 of the Discovery Material in this case;
- 16 b. allow any other person to read, listen, or otherwise review the Discovery
17 Material;
- 18 c. use the Discovery Material for any other purpose other than preparing to
19 defend against or prosecute the charges in the Indictment or any further
20 superseding indictment arising out of this case, or indictment relating to the
21 unconcluded underlying investigation;
- 22 d. attach the Discovery Material to any of the pleadings, briefs, or other court
23 filings except to the extent those pleadings, briefs, or filings are filed under
24 seal.

2 7. Nothing in this stipulation is intended to restrict the parties' use or introduction of the
Discovery Material as evidence at trial or support in motion practice.

8. The parties shall inform any person to whom disclosure may be made pursuant to this order of the existence and terms of this Court's order.

9. Upon conclusion of the Government's investigation and decision whether to bring any new indictments, the Government will move expeditiously for the Court to issue an order dissolving this Protective Order.

10. The parties will meet and confer six months from the date of this order for purposes of discussing the continuing necessity of the Protective Order.

11. The defense hereby stipulates to this Protective Order.

Respectfully submitted,
For the United States:

DANIEL G. BOGDEN
United States Attorney

/s/
PATRICK BURNS
Assistant United States Attorney

For the Defense:

/s/
LOUIS PALAZZO, Esq.
Attorney for JENNIFER MCCAIN-BRAY

IT IS SO ORDERED:

August 24, 2016

CARL W. HOFFMAN
United States Magistrate Judge

Date _____